

new declaration is not required. Please correct the inventor's name in this application as indicated in the enclosed Letter to Correct Filing Receipt.

The Examiner rejected claims 7 and 15 under 35 U.S.C. § 112, first paragraph, as unclear. Specifically, the Examiner states that the meaning attributed to "proper subset" is unclear and the instant disclosure lacks any reference or disclosure to this feature. A "proper subset" is a mathematical term, commonly used in the computer science art. The *Dictionary of Computing* states "A subset  $T$  is a *proper subset* of  $S$  if there is some element in  $S$  that is not in  $T$ ." (See the excerpt from the *Dictionary of Computing*; Oxford University: New York, 1990; p. 449, submitted herewith as Exhibit A.) Similarly, *Discrete Mathematics* defines a proper subset by stating "if  $X$  is a subset of  $Y$  and  $X$  does not equal  $Y$ , we say that  $X$  is a **proper subset** of  $Y$ ." (See Johnsonbaugh, R. *Discrete Mathematics*; Macmillan: New York, 1984; p. 3, submitted herewith as Exhibit B.) While the term proper subset is not used in the specification, the claim feature of a list including less than all of the programs stored in an electronic program guide, is clearly disclosed. In view of this explanation of the term, withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, is respectfully requested.

The Examiner rejected claims 1 to 23 under 35 U.S.C. § 102 (b) as anticipated by Young (U.S. Patent No. 5,353,121). Applicant respectfully traverses this rejection.

The present invention is directed to a method of and a system for managing program listings which comprise utilizing filters in the form of a list of programs or event entries to select program listings for display. Additionally, the present invention provides an electronic program guide (EPG) display having the selected program listings. The lists of programs or events may be provided via a service provider or by a third party, as described on page 6, lines 1 to 17, of the specification. For example, lists of programs and events include "The Family-Friendly subscription service" and "Bob's Smith's Cult Film Access Listing." The lists of programs or events are provided in a format usable by the EPG generating system but are not provided with the program listings itself.

To make this more clear, language from claim 5 has been incorporated into independent claim 1. Similarly, claim 13 has been incorporated into independent claims 9, 17, and 20.

Young is directed to a television schedule system which may have a theme function. However, the theme function of Young differs from the filtering mechanism of the present invention.

Specifically, the themes of Young are provided with the program listings and stored in a database. The theme function allows the user to sort the database using one or more attributes. Young does not teach or suggest utilizing filters having lists of actual programs or events to select program listings for display as opposed to some criteria applied to the database.


Regarding claim 5, which is now incorporated into claim 1, directed to a first filter comprising a list of program entries, the Examiner states that Young teaches a first filter comprising a list of program entries and gives the examples of comedy, western, and musical. Applicant wishes to further clarify the concepts of filters and themes. The themes of Young, exemplified by comedy, western and musical, are characteristics of the programs themselves, are provided with the programs, and may be used to sort the programs but do not identify specific program/event entries. In contrast, a filter is a list of program or event entries. An example of this is found in the embodiment shown in Fig. 1B. Filters may not provided with the program listings themselves and may be provided via a service provider or a third party. These observations also apply to amended independent claims 9, 17, and 20.

Applicant respectfully submits that independent claims 1, 9, 17, and 20, as well as all claims depending therefrom, are allowable over Young. Withdrawal of the rejection over Young is respectfully requested.

Accordingly, claims 1-4, 6-12, 14-21, and 24-31 are in condition for allowance, and a timely indication of allowance is respectfully requested.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Wesley W. Monroe  
Reg. No. 39,778  
626/795-9900

WWM/daa

Enclosure: Appendix Attached